

## **REMARKS**

**[0003]** Applicant respectfully requests reconsideration and allowance of all of the claims of the application. Claim 20 is presently pending. Claim 20 has been amended herein. Claims 1-19 are cancelled herein. No new claims have been added herein.

### **Formal Request for an Interview**

**[0004]** If the Examiner's reply to this communication is anything other than allowance of all pending claims, then I formally request an interview with the Examiner. I encourage the Examiner to call me—the undersigned representative for the Applicant—so that we can discuss this matter so as to resolve any outstanding issues quickly and efficiently over the phone.

**[0005]** Please contact me or my assistant to schedule a date and time for a telephone interview that is most convenient for both of us. While email works great for us, I welcome your call to either of us as well. Our contact information may be found on the last page of this response.

### **Claim Amendments**

**[0006]** Without conceding the propriety of the rejections herein and in the interest of expediting prosecution, Applicant amends claim 20 herein. Applicant amends claims to clarify claimed features. Such amendments are made to expedite prosecution and to more quickly identify allowable subject matter. Such amendments are merely intended to clarify the claimed features, and should not

be construed as further limiting the claimed invention in response to the cited references.

## **Substantive Matters**

### **Claim Rejections under § 112 1<sup>ST</sup> ¶**

**[0007]** Claims 6, 14 and 20 are rejected under 35 U.S.C. § 112, 1<sup>st</sup> ¶. Applicant respectfully traverses this rejection. Claims 6 and 14 have been canceled, thus rendering the rejections moot. Furthermore, in light of the amendments to claim 20 presented herein, Applicant submits that this rejection is moot. Accordingly, Applicant asks the Examiner to withdraw this rejection.

### **Claim Rejections under §103(a)**

**[0008]** Claims 1-2, 7-11 and 15-19 stand rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,791,536 to Keely.

**[0009]** Claims 3-6 and 12-14 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Keely in view of U.S. Patent No. 6,185,536 to Labiaga.

**[0010]** Claim 20 stands rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent Application Publication No. 2003/0234818 to Schmid in view of Labiaga.

**[0011]** In light of the amendments and arguments presented herein, Applicant submits that these rejections are moot. Accordingly, Applicant asks the Examiner to withdraw these rejections.

## **Obviousness Rejections**

### **Lack of *Prima Facie* Case of Obviousness (MPEP § 2142)**

[0012] Applicant disagrees with the Examiner's obviousness rejections. Arguments presented herein point to various aspects of the record to demonstrate that all of the criteria set forth for making a prima facie case have not been met.

### **Independent Claim 20**

[0013] Applicant submits that combination of Schmid and Labiaga does not render this claim obvious because Schmid is disqualified as a prior art reference.

[0014] Applicant submits herewith a declaration under 37 C.F.R. §1.131, declaring that the claimed invention was conceived prior to the publication date of Schmid. As Schmid has been assigned to the same Assignee (Assigned to Microsoft, Reel/Frame 013039/0725) Schmid is disqualified as a reference under 35 U.S.C. §103(c). Accordingly, the §103(a) rejection of claim 20 is moot. Applicant respectfully requests the §103(a) rejection be withdrawn.

## **Conclusion**

[0015] All pending claims are in condition for allowance. Applicant respectfully requests reconsideration and prompt issuance of the application. If any issues remain that prevent issuance of this application, the **Examiner is urged to contact me before issuing a subsequent Action.** Please call or email me or my assistant at your convenience.

Respectfully Submitted,

Lee & Hayes, PLLC  
Representatives for Applicant

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